

REMARKS

Claims 1-24 are pending. Claims 1, 9 and 17 are independent.

In an office action dated July 7, 2006, the Examiner used Allport (U.S. Patent No. 6,567,984) to reject claims 1-24 as having been anticipated.

Claims 1, 9, and 17, as amended, recite "the computing device configured to enable a user to concurrently display any portion of the EPG on the video display," or similar language. Allport fails to disclose or describe at least this quoted claim feature.

The Examiner argued that the above quoted claim feature is shown in Allport at Col. 6, lines 50-65 and Col. 7, line 60 through Col. 8, line 5. Applicant respectfully disagrees and believes that the Examiner has mischaracterized Allport. In contrast to the Examiner's argument, Allport merely discloses the removal of text-based and other navigational information from the TV screen while using the TV for browsing the Internet:

For example, many web sites employ "frames" with their own navigational aides in the form of graphical icons, indexes to sub-pages, etc. These could be displayed on the hand-held remote control, again leaving more room for the image created by the primary data stream to be shown on the TV screen. Some of the buttons on the remote control 10 in this context could be used for bookmarking web sites, context switching (e.g., from browsing the web to watching a TV program), Internet navigation, etc. (Allport, Col. 6, lines 56-65).

Allport discloses separating the video signal from additional data transmitted in the TV signal, enabling only the video signal to appear on the video display:

The present invention also provides a benefit for the situation where additional data (e.g., HTML data) is embedded in the VBI of the TV signal, or in dedicated slots within a digital signal. That data could be stripped from the signal and viewed on the remote control's display 15 while the regular video signal appeared on the primary display... A viewer may channel surf for alternate programs of interest, without interfering with the program then playing on the TV. (Allport, Col. 7, line 60 – Col. 8, line 10).

In fact, Allport discloses the removal of all program navigation data, such as that which would be contained in an EPG, from the video display to the second display:

By adding a second display that communicates with the TV, *all* of the navigational interface can be removed from the TV screen, leaving much more room for actual viewing content. (Allport, Col. 4, lines 12-14) (*emphasis added*).

Thus, Applicant submits that Allport neither discloses nor describes a video display displaying a portion of the EPG concurrently displayed on the second display of the computing

device, as claimed in claims 1, 9 and 17. Accordingly, claims 1, 9 and 17 are not anticipated by Allport and claims 1, 9 and 17 are in condition for allowance, which action is requested.

Claims 2-8, 10-16 and 18-24 depend upon, and add further limitations to, claims 1, 9 and 17. Accordingly, claims 2-8, 10-16 and 18-24 are not anticipated by Allport and all of the claims are in condition for allowance, which action is requested.

The Examiner uses either Allport or Ellis in view of Elliot to reject claims 6, 14 and 22 as having been obvious. Because it is unclear whether the Examiner continues the rejection based upon Ellis or is issuing a new rejection based upon Allport, both will be discussed in view of Elliot.

Claims 1, 9, and 17, as amended, recite "wherein the video display can display a portion of the EPG concurrently displayed on the second display of the computing device," or similar language. As discussed above, Allport fails to teach or suggest at least this quoted claim feature. Elliot fails to provide for this deficiency in Allport.

Elliot teaches Internet access over a mobile phone:

The present invention relates in general to Internet and data communication via mobile telephone communications and in particular to interfacing between a wireless subscriber and the Internet. More particularly, the present invention relates to an Internet Protocol interface between a wireless subscriber and the Internet. (Elliot, Col. 1, lines 20-25).

This is very different from a video display displaying a portion of the Electronic Programming Guide (EPG) concurrently displayed on the second display of the computing device, where the EPG corresponds to a video broadcast and is received from the receiving system and the video broadcast. Combining Allport and Elliot produces a display of an EPG on a wireless phone via a wireless switch and neither allows for nor contemplates any portion of the EPG being concurrently displayed on any other screen. Accordingly, claims 1, 9 and 17 are not obvious in view of Allport and Elliot, whether taken separately or in combination.

Similarly, Ellis fails to teach or suggest at least this quoted claim feature. As discussed above, Elliot fails to provide for this deficiency in Ellis as in Allport.

Ellis teaches remote access to program guides in the context of being removed from the physical location of the home and television:

Presently existing program guide systems therefore require that the user be physically present in the home to access important program guide features such as program reminders, parental control, and program recording.

It is therefore an object of the present invention to provide an interactive television program guide system in which the program guide may be remotely accessed by the user. Such a system may allow the user to access important features of the user's in-home program guide from a remote location and set program guide settings for those features. (Ellis, [0010]-[0011]).

This stated object of Ellis teaches away from the concept of viewing a portion of the EPG concurrently on both the remote and the video display because the video display would not be viewable from the remote location, as desired in Ellis. Accordingly, claims 1, 9 and 17 are not obvious in view of Ellis and Elliot, whether taken separately or in combination.

Claims 6, 14 and 22 depend upon, and add further limitations to, claims 1, 9 and 17. Accordingly, claims 6, 14 and 22 are not obvious in view of Allport or Ellis and Elliot, whether taken separately or in combination.

It is believed that all of the pending claims have been addressed. However, the absence of a reply to a specific rejection, issue or comment does not signify agreement with or concession of that rejection, issue or comment. In addition, because the arguments made above may not be exhaustive, there may be reasons for patentability of any or all pending claims (or other claims) that have not been expressed. Finally, nothing in this paper should be construed as an intent to concede any issue with regard to any claim, except as specifically stated in this paper, and the amendment of any claim does not necessarily signify concession of unpatentability of the claim prior to its amendment.

Respectfully submitted,

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